Remarks

Claims 1-11 and 13-36 were pending.

Claims 1, 5, 14-15, 21, 26, 31, and 35-36 are amended. Claims 37-42 are new. No new matter is added. Claims 1-11 and 13-36 remain after entering this amendment. Reconsideration and allowance of claims 1-11 and 13-36 are requested in light of the above amendments and the following remarks.

Claim Rejections – 35 USC § 102

Claims 1-8, 10, 13, 15-24, 26-29 and 31-36 were rejected under 35 USC 102(e) as being anticipated by Riikonen (US 2004/0162094). Claims 5, 9, 26 and 30 were rejected under 35 USC 102(e) as being anticipated by Donovan (US 6,366,577). The rejection is respectfully traversed.

Claim 1, as amended, recites "the delay point indicating at least one of feature discovery of the called endpoint, and call supplementary services." Independent claims 5, 15, 21, 26, 31, and 35-36 recite similar features as claim 1. *See* Specification, page 4, lines 21-26; page 5, lines 1-19; page 6, lines 10-20.

Riikonen teaches that "the presentation of the downloaded multimedia content is synchronized to occur simultaneously with the SIP response message designated in the "Synchronize-Loading" header of the SIP INVITE message. In the example shown in FIGS. 2 and 3, the 180 ringing message is designated and the downloaded multimedia content is synchronized to be presented simultaneously with the transfer of the 180 ringing message (F7) from the callee terminal to the caller terminal and the corresponding alerting of the callee. This means that the 183 ringing message (F7) is delayed until the downloading and presentation is complete." *See* Riikonen, page 3, paragraph [0027]. Riikonen also teaches "the user agent in the

callee terminal , upon detecting the "SynchronizeLoading" header in the SIP INVITE message (F1), begins a process of downloading and presenting multimedia content according the URL in the "SynchronizeLoading" header." *See* Riikonen, page 2, paragraph [0025].

Riikonen thus teaches a SIP INVITE message, which advertises to the callee terminal to delay a designated SIP response message until the multimedia content is downloaded from a URL indicated in the "Synchronized Loading" header of the SIP INVITE message. Riikonen does not teach or suggest "the delay point indicating at least one of feature discovery of the called endpoint, and call supplementary services." Riikonen at best teaches a delay point indicating whether multimedia content is downloaded from a URL, not "one of feature discovery of the called endpoint, and call supplementary services."

As such, Riikonen does not anticipate claims 1, 5, 15, 21, 26, 31, and 36, much less in their respective dependent claims. Claims 1-8, 10, 13, 15-24, 26-29 and 31-36 are therefore in condition for allowance in this regard.

Donovan teaches dynamically establishing RSVP policy based on SIP telephony requests to provide IP communications with QoS across the Internet. *See* Donovan, Col. 2, lines 13-16. Donovan specifically teaches "the called telephone will not ring until policy has been provisioned in the network elements and resources have been reserved end-to-end to ensure an acceptable level of QoS." *See* Donovan, Col. 4, lines 35-39.

Like Riikonen, Donovan at best teaches a delay point indicating whether policy has been provisioned in the network elements and resources have been reserved end-to-end, not "one of feature discovery of the called endpoint, and call supplementary services."

As such, Donovan does not anticipate claims 5 and 26. Claims 5, 9, 26 and 30 are therefore in condition for allowance in this regard.

Claim Rejections – 35 USC § 103

Claims 11 and 25 were rejected under 35 USC 103(a) as being unpatentable over Riikonen. The rejection is respectfully traversed.

As discussed, Riikonen does not teach claims 1 and 21. Claims 11 and 25 depend from claims 1 and 21, respectively. Therefore, claims 11 and 25 are in condition for allowance in this regard..

Claim 14 was rejected under 35 USC 103(a) as being unpatentable over Riikonen in view of McDysan (US 7,046,680). The rejection is respectfully traversed.

Claim 14, as amended, recites "wherein notifying the called endpoint further comprising sending a Delayed Call Establishment Release message to notify the called endpoint to alert a called user, thereby establishing the call." *See* Specification, page 8, lines 14-20.

McDysan teaches a distributed network access system architecture replacing conventional monolithic, proprietary edge routers that allocates the functionality of traditional edge routers (as well as additional functionality) among three logical modules: a programmable access device, an external processor, and an access router. *See* McDysan, Col. 3, lines 13-50. McDysan further teaches "the caller at the customer site initiates call termination by sending a BYE request...In response to receipt of the BYE request, the callee acknowledges the end of the SIP call by sending a SIP 200 OK message..." *See* McDysan, Col. 24, lines 23-44. That is, McDysan's BYE request is initiated to terminate the call connection between the caller and the callee, not "to notify the called endpoint to alert a called user, thereby <u>establishing</u> the call."

As such, McDysan does not cure the deficiencies of Riikonen. Claim14 is therefore in condition for allowance in this regard.

New Claims

Claims 37-42 are added. No new matter is added. Support for the new claims 37-42 may be found on page 5, lines 4-5, lines 20-25, and page 6, lines 1-9. Claims 37-42 depend from claims 1 and 21, respectively. For at least the reasons discussed above, claim 37-42 are patentably distinguishable from the references, and therefore in condition for allowance.

No new matter has been added by this amendment. Allowance of all pending claims is requested. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Customer No. 20575

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

Julie L. Reed

Julie L. Reed
Reg. No. 35,349

210 SW Morrison Street
Suite 400
Portland, OR 97204
503-222-3613